

REMARKS

Upon entry of the present amendment, claims 1, 9, 11-13, 15 and 18-21 will remain pending in this application and stand ready for further action on the merits.

The present amendment, as indicated in the remarks set forth below, does not introduce new issues for the Examiners consideration and at the same time puts the instant claims in condition for allowance, and/or reduces issues for appeal, so that entry thereof at present is both appropriate and warranted. In support of each of these contentions, the Examiner is respectfully requested to consider the following remarks.

Claim Rejections/Claim Objections

In item 2 of the outstanding office action issued on June 17, 2003, claims 12-13 and 15 are rejected under 35 USC 102(b) as being anticipated by JP-4213316 or JP 4-8719. In item 3 of the same office action claims 1, 9 and 11 are rejected under 35 USC 103(a) as being unpatentable over the same two JP '316 and JP '719 references. In item 7 of same outstanding Office Action issued on June 17, 2003, the Examiner states as follows:

Claims 10, 14, 16 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. (emphasis added)

Reconsideration and withdraw of each of the above noted claim rejections and objections is respectfully requested based on the following considerations.

As seen in the instant Proposed Amendment, the Applicants have instantly amended claims in accordance with the Examiner's suggestion in item 7 of the outstanding office action. As such, it is believed that the instant amendments to the claims are self-explanatory, and overcome all outstanding claim rejections and objections. However, for completeness and reference, the instant amendments to the claims are fully explained below.

The limitation of claim 10 (that the PTMG has a heteropolyacid content of from 10 to 900 ppb by weight) has been inserted into claim 1 (directed to a polyether polyurethane).

In accordance with the amendment to claim 1, claim 10 has been canceled.

The limitation of claim 14 (that the PTMG has a heteropolyacid content of from 10 to 900 ppb by weight) has been inserted into claim 12 (directed to a urethane prepolymer).

In accordance with the amendment to claim 12, claim 14 has been canceled.

Claims 16 and 17 have been cancelled, and, instead, new claims 18 to 21 have been added. New claim 18 has been prepared by

inserting the limitation of claim 16 ("said terminal isocyanate groups are partly or wholly modified.....") into the limitation of claim 12 (directed to a urethane prepolymer). New claim 19 (depending from claim 18) has the same limitation as claim 13. New claim 20 (depending from claim 18 or 19) has the same limitation as claim 15. New claim 21 (depending from claim 18 or 19) has the same limitation as claim 17.

Needless to say, the instantly amended claims 1, 12 and 18 are, respectively, equivalent to claims prepared by rewriting claims 10, 14 and 16 into "independent form including all of the limitations of the base claim and any intervening claims". Therefore, claims 1, 12 and 18 are now in condition for allowance.

Further, as mentioned above, claim 17 has been cancelled and, instead, the limitation of claim 17 has been added as new claim 21 depending from claim 18 (which is now in condition for allowance). In addition, also new claims 19 and 20 depend from claim 18.

Thus, it is apparent that claims 1, 12 and 18 to 21 are now in condition for allowance.

In addition, the following should be noted. As seen in the Proposed Amendment, claims 9, 11, 13 and 15 (all previously added) have not been instantly amended. However, claims 9 and 11 depend from claim 1 (which is now in condition for allowance), and claims 13 and 15 depend from claim 12 (which is now in condition for

allowance); therefore, it also follows that claims 9, 11, 13 and 15 are in condition for allowance.

Thus, it is earnestly solicited that all of the pending claims 1, 9, 11-13, 15 and 18-21 are now in condition for allowance, inasmuch as all outstanding rejections and objections have been rendered moot by the instant amendments to the claims.

Further, reconsideration and early favorable action on the claims are also earnestly solicited.

CONCLUSION

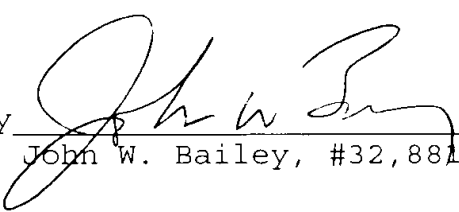
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John W. Bailey (Reg. No. 32,881) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By


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